

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 06-00556-2 CRB

Plaintiff,

**JURY SELECTION  
QUESTIONNAIRE**

v.

STEPHANIE JENSEN,

Defendant.

/\_\_\_\_\_

To the JUROR:

The case for which you have been summoned for jury selection is a criminal case entitled United States v. Jensen. The defendant, Ms. Stephanie Jensen, is the former Director of Human Resources of Brocade Communications Systems, Inc. Ms. Jensen has been charged with keeping false books and records and conspiracy to keep false books and records. Ms. Jensen denies all of these charges and has pled not guilty to each and every allegation.

The purpose of this questionnaire is to provide information about your background and experience to assist the Court and to save time in jury selection. This questionnaire is confidential and will not be used for any purpose other than to assist the Court and the attorneys with the jury selection process.

Please answer each question below as completely and accurately as you reasonably can. Your complete written answers will save a great deal of time for the judge, for the lawyers, and for you. If there is not sufficient space provided for you to complete your answers, please continue

your answers on the last page, indicating the question number. Do not write on the reverse side of any page. Please write legibly and use a black pen.

You are expected to sign your questionnaire, and your answers will have the effect of a statement given to the court under oath. We need your very best, honest effort to answer all of the questions. The intention of the questionnaire is to encourage your full expression and candor. Your full cooperation is of vital importance.

If there are any questions that you would feel more comfortable answering in private, simply write "private" in the space provided for your answer. The follow-up questions on that topic will be given out of the presence of the other prospective jurors.

Thank you in advance for your careful and honest response to the questionnaire.

## JUROR QUESTIONNAIRE

JUROR NO: \_\_\_\_\_

### PART ONE

1. FULL NAME: \_\_\_\_\_ Mr. Mrs. Miss Ms. (circle one)
2. Age: \_\_\_\_\_
3. Residence: County: \_\_\_\_\_ City/Town: \_\_\_\_\_

How long have you lived at that location? \_\_\_\_\_

In the past ten years, what other communities have you lived in?

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4. What is your marital status:  
\_\_\_\_\_ Single and never married  
\_\_\_\_\_ Currently married and have been for \_\_\_\_\_ years  
\_\_\_\_\_ Single, but married in the past for \_\_\_\_\_ years  
\_\_\_\_\_ Living with partner for \_\_\_\_\_ years  
\_\_\_\_\_ Widowed/widower, married in the past for \_\_\_\_\_ years  
\_\_\_\_\_ Other: \_\_\_\_\_

5. If you have children, please state:

<u>Name</u>	<u>Sex</u>	<u>Age</u>	<u>Education</u>	<u>Occupation</u>	<u>Does child live w/ you?</u>
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6. What is your current job status?  
\_\_\_\_\_ Working full-time  
\_\_\_\_\_ Working part-time  
\_\_\_\_\_ Retired  
\_\_\_\_\_ Unemployed  
\_\_\_\_\_ Homemaker  
\_\_\_\_\_ Full-time student

7. Occupation: [PLEASE NOTE: If you are currently not employed, retired, disabled or a homemaker, please describe your prior employment.]
  - a. What is your current occupation and please describe what you do (or what was it, if retired or unemployed)? \_\_\_\_\_
  - b. By whom are you employed? \_\_\_\_\_
  - c. How long have you worked there? \_\_\_\_\_
  - d. Do you supervise other people? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, how many? \_\_\_\_\_

8. Please list any other jobs you have had in the past ten years and describe what you did at each job:

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9. What is the last level of education you completed?

<input type="checkbox"/> Grade school or less	<input type="checkbox"/> Some college
<input type="checkbox"/> Some high school	<input type="checkbox"/> College graduate
<input type="checkbox"/> High school graduate	<input type="checkbox"/> Post-graduate work
<input type="checkbox"/> Technical or business school	<input type="checkbox"/> Attend law school

Please describe your educational background, including vocational school(s) and/or college(s) attended:

Areas of study

Degrees received

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Please complete questions 10 and 11 regarding your **present spouse or partner**. If you are widowed, divorced or separated, please answer all the following questions regarding your **former spouse/partner**.

10. Current employment status:

<input type="checkbox"/> Working full-time	<input type="checkbox"/> Unemployed
<input type="checkbox"/> Working part-time	<input type="checkbox"/> Homemaker
<input type="checkbox"/> Retired	<input type="checkbox"/> Full-time student

- a. What is his/her occupation (or what was it, if retired or unemployed or disabled)?

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- b. By whom is s/he employed? \_\_\_\_\_

How long has s/he worked there? \_\_\_\_\_

- c. Please describe the nature of his/her job? \_\_\_\_\_

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- d. What other types of jobs has s/he had in the past?

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11. What is the last level of education s/he completed?

<input type="checkbox"/> Grade school or less	<input type="checkbox"/> Some college
<input type="checkbox"/> Some high school	<input type="checkbox"/> College graduate
<input type="checkbox"/> High school graduate	<input type="checkbox"/> Post-graduate work
<input type="checkbox"/> Technical or business school	<input type="checkbox"/> Attend law school

Please name the degrees and major areas of study:

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12. Have you, your current spouse/partner or your child ever served in the military?

Yes ☐ No ☐

If Yes, please list for: You Present Spouse, Partner or Child

Branch of service:

Combat: Yes ☐ No ☐ Yes ☐ No ☐

(Please continue to Part Two.)

**PART TWO**

13. How often do you get your news from:

Newspapers ☐ Daily ☐ Weekly ☐ Monthly ☐ Never

Magazines ☐ Daily ☐ Weekly ☐ Monthly ☐ Never

Radio ☐ Daily ☐ Weekly ☐ Monthly ☐ Never

Television ☐ Daily ☐ Weekly ☐ Monthly ☐ Never

Internet ☐ Daily ☐ Weekly ☐ Monthly ☐ Never

Other \_\_\_\_\_ ☐ Daily ☐ Weekly ☐ Monthly ☐ Never  
please specify

14. Have you heard, read or seen anything about this case?

Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, please describe:

15. Have you ever discussed this case, or have you heard anyone else say anything about this case? Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, please explain:

16. Have you heard or read or seen anything concerning any *other* case that appears to you to be like this case? Yes \_\_\_\_\_ No \_\_\_\_\_  
If Yes, please describe:

17. Have you heard or read or seen anything concerning any *other* case involving any of the people whose names you have heard today?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, please discuss what you have heard, read or seen:
18. Have you heard, read or seen anything about the “backdating” of stock options?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, please discuss what you have heard, read or seen:
19. How closely have you followed press reports of allegations of wrongdoing by corporations and executives?  
Very closely \_\_\_\_ Somewhat closely \_\_\_\_ Not too closely \_\_\_\_ Not at all \_\_\_\_
20. Some corporations and their financial problems have been reported in the news over the past few years. Do you have strong feelings concerning these corporations and their executives?  
Yes \_\_\_\_ No \_\_\_\_  
If Yes, please describe your strong feelings:
21. Do you think that you, any relative, or anyone close to you, have been negatively impacted by any corporate financial problems or fraud?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please explain:

22. Have you, any relative, or anyone close to you, ever worked for an accounting firm or held a job that involved accounting, auditing, bookkeeping or finance?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please explain:
23. Have you ever worked at a job where part of your job responsibilities involved working with company auditors or auditors from outside accounting firms?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please describe:
24. Do you hold any opinions about women working in supervisory roles that would prevent you from being fair and impartial in this case?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please explain:
25. Have you, any family members or close friends ever had any education, training or employment in any aspect of human resources (HR)?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please explain:
26. Have you, any family members or close friends ever had any experience in the workplace with an employer's human resources department that would prevent you from being fair and impartial in this case?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please explain:



27. Have you taken any courses or had any training in business, finance, investment, accounting, bookkeeping, or any similar area? Yes \_\_\_\_ No \_\_\_\_

If Yes, please explain how many courses and/or how much training you have had and identify the areas in which you have had courses and/or training.

28. Do you have any training or experience in accounting or auditing? Yes \_\_\_\_ No \_\_\_\_

29. Do you receive annual reports from corporations or mutual funds?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, do you read them? Yes \_\_\_\_ No \_\_\_\_

30. Do you have any specific problems of a serious nature that might make it difficult for you to sit as a juror on a criminal case? Yes \_\_\_\_ No \_\_\_\_  
If Yes, please describe:

31. Have you previously served as a trial juror or as a grand juror?  
Yes \_\_\_\_ No \_\_\_\_ If Yes, please complete for each case on which you served:

	Civil or Criminal	Nature of case (i.e., robbery or personal injury)	When/Where?	Was a verdict reached? (please answer yes or no)
1				
2				
3				
4				
5				

- a. Have you ever served as a jury foreperson? Yes \_\_\_\_ No \_\_\_\_
- b. Was there anything about your experience as a juror which would make you not want to serve again?

32. Please read the following list of law enforcement agencies:

Attorney General	Military Police
County Jail	Police Department
Department of Corrections	District Attorney
Sheriff's Department	FBI
Highway Patrol	US Marshall
Internal Revenue Service	United States Attorney

Have you or any close friends or relatives ever been employed by or otherwise been affiliated with any of the law enforcement agencies listed above or any other law enforcement organization (as an employee or volunteer)?

Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please list:

<u>NAME</u>	<u>RELATIONSHIP TO YOU</u>	<u>POSITION</u>	<u>AGENCY</u>
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33. Have you or any of your relatives or close friends had any involvement with any law enforcement agency?

Yes\_\_\_\_\_ No\_\_\_\_\_

If Yes, does this experience cause you to have any feelings or opinions for or against the United States in this case? Yes\_\_\_\_\_ No\_\_\_\_\_

34. Have you or anyone close to you ever been the victim of any kind of crime (including fraud, burglary, robbery, assault, identity theft, etc., whether it was reported to law enforcement authorities or not)?

Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:

35. Have you or any of your relatives or close friends been involved in any dispute, whether or not it involved a legal action or proceeding, against or involving the United States, any United States agency, or any of their agents or employees?  
Yes\_\_\_\_ No\_\_\_\_ If Yes:
- a. What was the nature of the dispute?
- b. Was the matter resolved satisfactorily, in your opinion?  
Yes\_\_\_\_ No\_\_\_\_
- c. Do you feel the United States representatives acted fairly in resolving the matter?  
Yes\_\_\_\_ No\_\_\_\_
- d. Does this experience cause you to have any feelings or opinions for or against the United States in this case?  
Yes\_\_\_\_ No\_\_\_\_
36. Have you or any of your relatives or close friends had any adverse experiences with the Federal Bureau of Investigations or the Securities & Exchange Commission?  
Yes\_\_\_\_ No\_\_\_\_
- If Yes, do any of these experiences cause you to have any feelings or opinions for or against the United States in this case? Yes\_\_\_\_ No\_\_\_\_
37. Have you ever been a party to a lawsuit, whether civil or criminal?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, what was the nature of the case?
38. Have you or a member of your family or close friends had any experience with a "Start up" business?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, please explain:

39. Have you or someone you know had any involvement with an IPO (“initial public offering” on the stock market) in any capacity (as an employee, investor, or other capacity)?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, please explain:
40. This case relates to conduct that occurred at Brocade Communications Systems. Have any of you ever done business with or owned any securities, including stocks, in Brocade Communications System? Yes\_\_\_\_\_ No\_\_\_\_\_
41. This case involves stock options issued by Brocade Communications Systems to its employees. Have you or any members of your family received stock options in connection with your employment? Yes\_\_\_\_\_ No\_\_\_\_\_
42. Have you or a family member or close friend ever been employed by a company which granted “stock options” to employees? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, were you (or the person you know) granted options?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
If Yes, were the grants ever exercised? Yes \_\_\_\_\_ No \_\_\_\_\_
43. What have you read or heard about how stock options to employees are priced and granted by companies?
44. Have you, anyone in your immediate family, or a close friend, ever been employed by or had regular contact with the Securities and Exchange Commission (SEC) or with any other financial regulatory or licensing agency? Yes\_\_\_\_\_ No\_\_\_\_ If Yes, please explain:
45. Have you, anyone close to you or any company you have worked for ever been involved in a dispute involving stock options? Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:

46. Have you or anyone close to you ever been accused of fraud, misrepresentation, or fraudulently concealing information? Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:
47. Has any business, agency, or employer you have worked for or with ever been investigated for or charged with wrongdoing? Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:
48. Have you or anyone close to you ever suffered a substantial monetary loss as a result of any type of financial investment (including stocks, real estate or business)?  
Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:
49. Will you follow the instructions of law that the Court will give you at the close of the case regardless of whether you agree with these instructions or not? Yes\_\_\_\_\_ No\_\_\_\_\_
50. Do you have any moral, religious, or philosophical principles that make you reluctant to serve on a criminal jury? Yes\_\_\_\_\_ No\_\_\_\_\_
51. Have you, any family members, or anyone close to you had any experiences with or opinions about alleged corporate fraud, whether as an investor or in some other capacity, that might interfere with your ability to consider the evidence impartially and decide a case that includes such charges? Yes\_\_\_\_\_ No\_\_\_\_\_
52. Is there any matter not covered by this questionnaire that should be brought to the attention of the court because it would affect your ability to be a fair and impartial juror?  
Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain:

53. Is there any matter you would prefer to discuss privately with the court?  
 Yes\_\_\_\_ No\_\_\_\_ If Yes, please explain:

54. Have you ever had any experience with, or do you have any connection with, any of the individuals entities named below? If so, put a check in front of the name or the entity, and please provide details after the name of the entity.

INDIVIDUAL OR ENTITY	PLEASE PROVIDE DETAILS
_____ Stephen Beyer	
_____ James Bidzos	
_____ Robert Bossi	
_____ Board Members, past and present, of Brocade Communications Systems	
_____ Michael Byrd	
_____ California Public Employees Retirement System	
_____ Mary Hartman Morris	
_____ Tony Canova	
_____ Daniel Cudgma	
_____ Colleen Devine	
_____ Fidelity Investments	
_____ Robert McCormick	
_____ John Garvey	
_____ David House	
_____ Patricia Kada	

INDIVIDUAL OR ENTITY	PLEASE PROVIDE DETAILS
_____ The Accounting Firm of KPMG	
_____ Neil Miotto	
_____ Margie Lee	
_____ Robert Morris	
_____ Elizabeth Moore	
_____ National Association of Securities Dealers	
_____ Deborah Ormland	
_____ Oak Associates	
_____ Robert Stimson	
_____ Heidi Rado	
_____ Lee Seidler	
_____ Theresa Uchida	
_____ Grace Ward	
_____ Robert Comment	
_____ Christopher Crespi	
_____ Steven Stanton	
_____ Jonathan Macey	
_____ William Simson	
_____ Joe Anastasi	
_____ David Gulley	
_____ Brocade Communications Systems	
_____ Gregory L. Reyes	
_____ Stephanie Jensen	

INDIVIDUAL OR ENTITY	PLEASE PROVIDE DETAILS
_____ Rich Marmaro	
_____ Brocade Communication Systems	
_____ Tyler Wall	
_____ Morgan Stanley	
_____ PricewaterhouseCoopers	
_____ Arthur Andersen	
_____ The law firm of Howard Rice	
_____ Pam Phillips	
_____ Diane Doolittle	
_____ John Potter	
_____ The law firm of Quinn Emanuel Urquhart Oliver & Hedges	
_____ The law firm of Sidley Austin	
_____ Mike Kelley	
_____ The law firm of Orrick Herrington & Sutcliffe	
_____ Mike Torpey	
_____ Walt Brown	
_____ Amy Ross	
_____ Mark Beck	
_____ The law firm of Heller Ehrman	
_____ Norman Blears	
_____ Robert Buehler	



**INDIVIDUAL OR ENTITY**

**PLEASE PROVIDE DETAILS**

\_\_\_\_\_ Alexander Lyon

\_\_\_\_\_ The law firm of Morrison &  
Foerster

\_\_\_\_\_ Paul Friedman

\_\_\_\_\_ Craig Martin

\_\_\_\_\_ The law firm of Farella  
Braun

\_\_\_\_\_ William P. Keane

\_\_\_\_\_ Douglas R. Young

\_\_\_\_\_ United States District Court

\_\_\_\_\_ The US Department of  
Justice

\_\_\_\_\_ Office of the United States  
Attorney

\_\_\_\_\_ Christopher James Steskal

\_\_\_\_\_ Timothy P. Crudo

\_\_\_\_\_ Adam Reeves

\_\_\_\_\_ Scott N. Schools

\_\_\_\_\_ Kevin Ryan

\_\_\_\_\_ The Federal Bureau of  
Investigation

\_\_\_\_\_ Securities and Exchange  
Commission

\_\_\_\_\_ The law firm of Skadden  
Arps Slate Meagher & Flom

\_\_\_\_\_ Jack DiCanio

\_\_\_\_\_ Ronda McKaig

\_\_\_\_\_ Garrett Waltzer

INDIVIDUAL OR ENTITY	PLEASE PROVIDE DETAILS
_____ Matt Sloan	
_____ Ryan Weinstein	
_____ Chris Gunther	
_____ Nicole Argentieri	
_____ Elizabeth Harlan	
_____ Sean Coutain	
_____ Josh Ellis	
_____ Arvin Lugay	
_____ Jonah Van Zandt	
_____ Sheryl Wu	
_____ The law firm of Munger, Tolles & Olson	
_____ Brad D. Brian	
_____ Jerry Roth	
_____ The law firm of Wilson Sonsini Goodrich & Rosati	
_____ Nina (Nicki) Locker,	
_____ Caz Hashemi	
_____ Steven D. Guggenheim	
_____ Cameron Hoffman	
_____ Robert Leach, Esq.	
_____ Navigant Consulting	
_____ William Salzman	
_____ John Yun	
_____ Patrick T. Murphy	

**INDIVIDUAL OR ENTITY**

**PLEASE PROVIDE DETAILS**

\_\_\_\_\_ Jennifer Scafe,  
\_\_\_\_\_ Susan F. LaMarca  
\_\_\_\_\_ Susan Fleischmann  
\_\_\_\_\_ The law firm of Keker &  
Van Nest  
\_\_\_\_\_ Jan Nielsen Little  
\_\_\_\_\_ Michael D. Celio  
\_\_\_\_\_ Laurie Carr Mims  
\_\_\_\_\_ Eric MacMichael  
\_\_\_\_\_ Cathleen Crane  
\_\_\_\_\_ Steven Ragland  
\_\_\_\_\_ Susan Woodward

I declare under penalty of perjury that the foregoing information is true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_